

May 2, 2018

VIA FOIAONLINE. REGULATIONS.GOV  
U.S. Environmental Protection Agency  
National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460  
Phone: (202) 566-1667  
Fax: (202) 566-2147

**Re: Freedom of Information Act Request: Calendars and Travel Vouchers for Senior Advisers Wagner and Kelly and AA Konkus**

Dear National Freedom of Information Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, Friends of the Earth (FOE) hereby requests the following records from the Headquarters of the U.S. Environmental Protection Agency (EPA).

**I. Requested Records**

- Records of Assistant Administrator John Konkus' schedule of meetings with outside parties from 1 January 2017 to 2 May 2018 that includes the persons with whom the Assistant Administrator met, their organizational affiliations, and the topics discussed.
- Records of Senior Advisor Albert Kelly's schedule of meetings with outside parties from 1 January 2017 to 2 May 2018 that includes the persons with whom Mr. Kelly met, their organizational affiliations, and the topics discussed.
- Records of Senior Advisor Kenneth Wagner's schedule of meetings with outside parties from 1 January 2017 to 2 May 2018 that includes the persons with whom the Mr. Wagner met, their organizational affiliations, and the topics discussed.
- Records of Senior Counsel Samantha Dravis' schedule of meetings with outside parties from 1 January 2018 to 5 April 2018 that includes the persons with whom Ms. Dravis met, their organizational affiliations, and the topics discussed.
- Records of Assistant Administrator Konkus', Senior Advisor Albert Kelly's, and Senior Advisor Kenneth Wagner's travel vouchers, including records of payments made and/or pending claims for reimbursement, from 1 January 2017 to 2 May 2018.

**II. Key Terms Defined**

For the purposes of this request, the term “outside parties” includes any person who is not an employee of the federal government.

The request for “meetings” includes information that indicate the date, time, location, topic, and host organization for any speeches or other presentations by the Assistant Administrator Konkus, Senior Counsel Dravis, Senior Adviser Kelly, or Senior Adviser Wagner at locations outside the offices of EPA or other federal buildings.

### **III. Format of Records**

EPA has provided records of (1) Administrator Pruitt’s calendar from February 21 through May 18, 2017 and (2) Administrator Pruitt’s travel vouchers from March 1 through May 31, 2017, in response to a separate May 18 FOIA request submitted by the Environmental Integrity Project (EIP) (EPA-HQ-2017-007486).

FOE will accept disclosure of Assistant Administrator Konkus’, Mr Kelly’s, Ms. Dravis’, and Mr. Wagner’s schedules of meetings with outside parties in a format similar to the records of the Administrator’s calendar provided in EPA’s earlier response to EIP . FOE will also accept disclosure of Assistant Administrator Konkus’, Mr. Kelly’s, and Mr. Wagner’s travel vouchers in the same or similar format at the travel vouchers provided to EIP.

### **IV. Claims of Exemption from Disclosure**

If you regard any documents as exempt from required disclosure under FOIA, please exercise your discretion to disclose them nevertheless, keeping in mind that FOIA “is the most prominent expression of a profound national commitment to ensuring an open Government” and that “[a]ll agencies should adopt a presumption in favor of disclosure.” President Barack Obama, Memorandum For the Heads of Executive Departments and Agencies: Freedom of Information Act, 74 Fed. Reg. 4, 863 (Jan. 26, 2009).

In the alternative, after careful review for the purpose of determining whether any of the information is exempt from disclosure, please provide all reasonably non-exempt portions of records and communications as required by FOIA.

Should you elect to invoke an exemption, please provide the required full or partial denial letter and sufficient information to determine whether or not there may be grounds to appeal EPA’s decision. In accordance with the minimum requirements and regulations of due process, this information should include:

- I. Basic factual material, including the originator, date, length, and addresses of the withheld items.
- II. Explanations and justifications for denial, including the identification of the exemption applicable to the withheld information or portions of

the information found to be subject to exemption, and how each exemption applies to the withheld material.

**V. Requests for Clarification**

Lastly, if any part of this request can be clarified and/or narrowed, I urge you to contact me directly over either phone or email.

Thank you,

Lukas Ross  
Senior Policy Analyst  
Friends of the Earth  
1101 15th Street NW  
11th Floor  
Washington, DC 20005  
Direct: 202-222-0724  
Cell: 845-741-5639